

PROB 12B
(7/93)

Report Date: July 30, 2008

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

AUG 01 2008

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Irvin Fentroy

Case Number: 2:00CR00145-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 12/1/2000

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)

Date Supervision Commenced: 3/28/2008

Original Sentence: Prison - 84 Months; TSR - 36
Months

Date Supervision Expires: 8/27/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 19 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

On July 16, 2008, Mr. Fentroy returned to Geiger residential reentry center (RRC) from his place of employment and had an odor of alcohol on his breath. Geiger staff performed a breathalyzer test, which indicated the presence of alcohol on two separate results. As part of the Geiger RRC policy and rules, Mr. Fentroy is not allowed to consume alcohol. Geiger staff notified the undersigned officer of the program violation and did not allow Mr. Fentroy to return to work due to his consuming alcohol either during or after work.

Mr. Fentroy has had one other documented incident involving alcohol use during his term of supervised release. It would appear that he might have a problem with alcohol and he has been referred for a substance abuse assessment. The above conditions would allow the U.S. probation office to more closely monitor, and address, Mr. Fentroy's use of alcohol. The undersigned officer has spoken with Mr. Fentroy about the potential consequences of any further violations. Mr. Fentroy is in agreement with the above modification and has voluntarily signed a waiver of hearing after being advised of his right to a hearing and advice of counsel.

Prob 12B

Re: Fentroy, Irvin

July 30, 2008

Page 2

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

7/30/08
S. - H. J.
Samuel Najera
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other

Edward F. Shea
Signature of Judicial Officer

8/1/08
Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

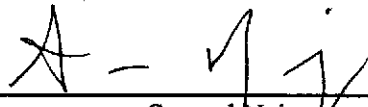
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

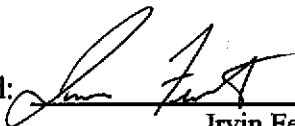
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 19 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Witness:



Samuel Najera
U.S. Probation Officer

Signed:



Irvin Fentroy
Probationer or Supervised Releasee

July 30, 2008

Date